

REMARKS

The Examiner is thanked for the thoughtful review of Applicants' application, and the detailed response thereto.

The Examiner rejected claims 1 - 20 under 35 U.S.C. 102(e) as being anticipated by Klots et al (U.S. Pat. No. 6,144,983). The Applicant has amended every independent claim.

The amended claims attempt to capture both the non-nestable character of the invention and the specific mechanism that is used to prevent locks from being nested. As was described in the specification, non-nestable threads are important to prevent a deadlock condition.

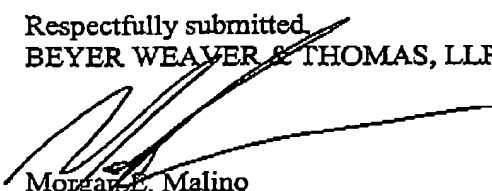
The cited portions of Klots do not describe a need for preventing nested locks. Furthermore, since Klots does not address non-nestable threads, it provides no specific mechanisms for preventing nested locks. Therefore, nothing in Klots describes a lock that can be released if the thread requesting the lock is the same thread that already has the lock.

The Applicant believes that, for at least these reasons, independent claims 1, 8, 11 and 17 are clearly not anticipated by the art. It is additionally noted that dependant claims 2 - 7, 9 - 10, 12 - 16 and 18 - 20 depend either directly or indirectly from these independent claims and, as such, are allowable for at least the same reasons as those stated above.

It is additionally noted that the language that requires "at least part of the memory address value" to identify the first synchronization construct has not been addressed by the Examiner. Although this language has been removed from claim 1, it is still present in many of the existing claims.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Morgan E. Malino
Reg. No. 41,177

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300